IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9943 of 2005

Between:

C.Mallikarjuna Rao, s/o late Sri C.Jayaramaiah,
R/o H.No.1-12, K.V.Temple Street, Venkatagiri, Nellore District.

..... PETITIONER

AND

1 The Revenue Divisional Officer, Gudu, Incharge Commissioner of Venkatagiri Municipality, Venkatagiri Mandal, Nellore District.
2 The District Collector, Nellore, Nellore District.
3 Bolleni Chandrasekhar Naidu, s/o Raghurama Naidu,
Gowri Sanker Filling Station, Venkatagiri Cross Roads, Venkatagiri, Nellore District.
4 D.Venkata Swamy Naidu, s/o Duttukuri Venkataramaiah,
Opp:Electrical Sub-Station, Kummaragunta, Venkatagiri, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus directing the respondents 1 and 2 to restrain the respondents 3 and 4 from starting brick-kiln in S.Nos.187/17, 189/19 and 189/20 in Kummarigunta area in Venkatagiri Town (and Mandal) in Nellore District.

Counsel for the Petitioner: MR.M.JAGANNATHA SARMA

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

Counsel for the Respondent Nos.3 and 4: --

This Court at the admission stage made the following:

THE HON'BLE MS JUSTICE G. ROHINI

WRIT PETITION NO: 9943 of 2005

O R D E R:

This writ petition is filed aggrieved by the alleged inaction of the respondents 1 and 2 in taking necessary action on the representation of the petitioner dated 04-04-2005 bringing to their notice that the respondents 3 and 4 are constructing brick kiln on the land situated in Survey Nos.189/17, 189/19 and 189/20 in Kummarigunta area in Venkatagiri town and Mandal in Nellore District, which is adjacent to the land belong to the petitioner without any valid licence or permit from the competent authorities.

Having heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents 1 and 2, without expressing any opinion as to the correctness of the allegations made by the petitioner in his representation dated 04.04.2005, I deem it appropriate to dispose of the writ petition directing the respondents 1 and 2 to consider the said representation and pass appropriate orders, in accordance with law, after affording due opportunity to the respondents 3 and 4 to rebut the allegations made, as expeditiously as possible preferably within a period of four

weeks from the date of receipt of a copy of this order. No costs.

_____

(**G. ROHINI, J**)

Date: 28-04-2005

ghn

To

1 The Revenue Divisional Officer, Gudu, Incharge Commissioner of Venkatagiri Municipality, Venkatagiri Mandal, Nellore District.
2 The District Collector, Nellore, Nellore District.
3 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad.
(O.U.T.)

4 Two CD copies.